

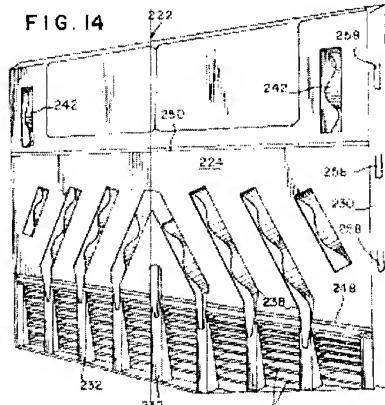
REMARKS

Claims 1-20 have been canceled. Claims 21, 23, 24, and 26 have been rewritten in independent form. As such, these amendments (1) do not raise new issues that would require further consideration and/or search, and (2) do not raise issues of new matter. Accordingly, claim 21-26 remain pending in this application.

Claims 21-22

Claim 21 has been rewritten in independent form (incorporating previously presented claim 1). No new matter has been added.

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Henning (U.S. Patent No. 5,947,812). However, the Office Action does not contend that Henning discloses “a lower panel portion that is wider than an upper panel portion such that the width of the plenum is greater proximal to the lower panel portion than the width of the plenum proximal to the upper panel portion.” Indeed, Henning fails to disclose such a configuration. Instead, Henning describes a bulkhead having a “rectangular” panel in which the lower portion *has the same width* as the upper portion. (See Henning at col. 1, line 65 (“rectangular panel”); col. 3, lines 38-39 (“generally rectangular configuration”); at col. 4, line 39 (“rectangular panel”).) One example of Henning’s rectangular configuration is shown in FIG. 14 at right. Thus, the proposed modification to Henning’s bulkhead would nevertheless fail to include all of the elements set forth in independent claim 21.



Applicants request withdrawal of the rejection under 35 U.S.C. § 103. Prompt allowance of claims 21-22 is requested.

Claim 23

Claim 23 has been rewritten in independent form (incorporating previously presented claims 1 and 3). No new matter has been added.

Claim 23 was apparently rejected under 35 U.S.C. § 103(a) as being unpatentable over Henning alone. However, dependent claim 3 (from which claim 23 previously depended) was rejected under 35 U.S.C. § 103(a) as being unpatentable over Henning in view of Manfred (EP 1099598A2). In any event, neither Henning, Manfred, nor any combination thereof would disclose all elements described in claim 23.

The Office Action stated that Henning fails to describe hook members. However, the Office Action does not contend that Manfred discloses hook members that “extend in an angularly upward direction from the trailer wall” so that a portion of the panel “is increasing compelled toward the trailer wall as hook members engage the panel.” This is because Manfred fails to disclose such a configuration. Instead, Manfred discloses a panel that is secured to horizontal crossbars 6 and 7 using generally *downwardly facing* hooks 3 and 4. (See Manfred at FIGS. 1, 2a, and 2c.) Such downward hooks do not “extend in an angularly upward direction from the trailer wall” so that a portion of the panel “is increasing compelled toward the trailer wall as hook members engage the panel.” Thus, the proposed combination of Henning and Manfred would fail to include all of the elements set forth in independent claim 23.

Applicants request withdrawal of the rejection under 35 U.S.C. § 103. Prompt allowance of claims 23 is requested.

#### Claims 24-25

Claim 24 has been rewritten in independent form (incorporating previously presented claim 11). No new matter has been added.

Claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Henning. As previously described, the Office Action does not contend that Henning discloses “a lower panel portion that is wider than an upper panel portion such that the width of the plenum is greater proximal to the lower panel portion than the width of the plenum proximal to the upper panel portion.” This is because Henning fails to disclose such a configuration, but rather discloses a “generally rectangular configuration” in which the lower portion *has the same width* as the upper portion. (See Henning at col. 1, line 65; col. 3, lines 38-39; at col. 4, line 39; FIG. 14.) Accordingly, the proposed modification to Henning’s bulkhead would nevertheless fail to include all of the elements set forth in independent claim 24.

Applicants request withdrawal of the rejection under 35 U.S.C. § 103. Prompt allowance of claims 24-25 is requested.

Claim 26

Claim 26 has been rewritten in independent form (incorporating previously presented claims 11 and 13). No new matter has been added.

Claim 26 was apparently rejected under 35 U.S.C. § 103(a) as being unpatentable over Henning alone. However, dependent claim 13 (from which claim 26 previously depended) was rejected under 35 U.S.C. § 103(a) as being unpatentable over Henning in view of Manfred (EP 1099598A2). As previously, the Office Action does not contend that Manfred discloses hook members that “extend in an angularly upward direction from the trailer wall” so that a portion of the panel “is increasing compelled toward the trailer wall as hook members engage the panel.” This is because Manfred fails to disclose such a configuration, but rather discloses *downwardly facing* hooks 3 and 4. (*See* Manfred at FIGS. 1, 2a, and 2c.) Thus, the proposed combination of Henning and Manfred would fail to include all of the elements set forth in independent claim 26.

Applicants request withdrawal of the rejection under 35 U.S.C. § 103. Prompt allowance of claims 26 is requested.

Conclusion

Nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the claim amendments herein does not signify concession of unpatentability of claims 1-20 prior to the amendments herein. Applicants hereby specifically reserve the right to prosecute the previously presented subject matter of claims 1-20 (prior to the amendment herein) in a continuation application. Also, Applicants hereby specifically reserve the right to prosecute claims of different or broader scope in a continuation application. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on the amendments made herein.

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Please charge Deposit Account No. 06-1050 in the amount of \$100 for excess claim fees.

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Respectfully submitted,

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